



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

January 7, 1983

Instruction Memorandum No. 83-237

Expires 9/30/84

To: All SD's and Minerals Managers

From: Director

Subject: Prohibition Against Mineral Leasing in Bureau of Land
Management (BLM) Wilderness Study Areas under Section 603 FLPMA

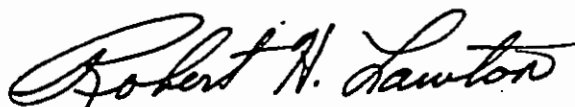
On December 30, 1982, Secretary Watt directed that there be no mineral leasing or permitting in Bureau of Land Management (BLM) Wilderness Study Areas (WSA). This decision expands upon the wilderness lands in which mineral leasing and permitting was formerly prohibited under Instruction Memoranda Nos. 83-120 and 83-120, Change 1, due to the first continuing resolution and under the Interior Appropriations Act of 1983. Neither of the two continuing resolutions nor the Appropriations Act addressed BLM WSAs. Therefore, and until further notice, no leases or permits shall be issued in BLM administered WSAs in addition to the four categories of wilderness lands proscribed in the continuing resolutions and Appropriations Act, except as contained in the Appropriations Act and noted below.

Guidelines:

- o Leases issued prior to December 31, 1982, regardless of the effective date of the lease, should be considered to have valid existing rights. Drilling permits may be issued and mining plans approved on such leases consistent with lease stipulations. The Wilderness Protection Stipulation in post-FLPMA leases (leases issued after October 21, 1976) must be strictly complied with.
- o Leases currently in process should not be issued. Acceptance of NOI's remains unchanged. Leases issued after December 31, 1982, regardless of the effective date of the lease, should be canceled or revoked and returned to pending status. All such applications are to be maintained as pending until further notice. Such applications are to be noted in backlog as "Pending Other Agency - Other."
- o Applications will be processed for any wilderness study area lands released by Congressional action in the future.
- o Lands dropped out of the WSA category by the Federal Register Notice of December 30, 1982, are available for leasing but only with special stipulations to ensure the protection of those values responsible for original consideration for wilderness. Lands such as the Bisti Badlands fall into this category.

- o Applications to lease lands within WSAs will continue to be accepted and will remain pending with priority as of the date of filing until Congressional action is taken on the President's recommendations.
- o The exemptions for lease processing in Congressionally designated wilderness areas contained in the Interior Appropriations Act of 1983 apply to ELM managed WSAs. That is, it is permissible to lease lands in wilderness areas, including WSAs, that are contiguous to producing or prospectively valuable areas providing they carry no surface occupancy protection and development is conducted from outside the Wilderness Study lands. Also, seismic operations, including use of explosives are allowable anywhere in such areas as long as those operations are compatible with the "nonimpairment criteria" set forth in the ELM Interim Management Policy and Guidelines for Lands Under Wilderness Review.

For further information, contact Lois Mason (FTS 343-7753) or Jeff Zabler (FTS 343-7722).



Deputy Director, Energy and Mineral Resources
Acting



IN REPLY REFER TO:
3101 (530)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

January 19, 1983

Instruction Memorandum No. 83-237, Change 1
Expires 9/30/84

To: All SD's and Minerals Managers

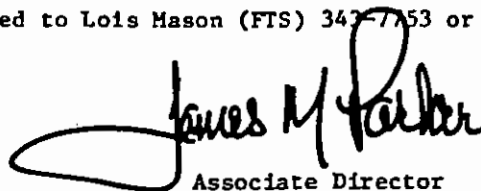
From: Director

Subject: Prohibition Against Mineral Leasing in Bureau of Land
Management (BLM) Wilderness Study Areas (WSA) under
Section 603 FLPMA

Instruction Memorandum 83-237, in part, misstated the Secretary's policy on mineral leasing in WSAs. In that memorandum, guideline No. 4 dealing with lands dropped from the WSA category by virtue of the Federal Register Notice of December 30, 1982, should state these lands are not available for leasing until such time as the State Director, with the concurrence of the Director, determines whether these lands will continue to be studied for potential wilderness designation. Lands which continue to be studied for potential wilderness designation will not be available for leasing.

The balance of IM 83-237, a copy of which is enclosed for reference, is accurate as promulgated.

Questions should be directed to Lois Mason (FTS) 343-7753 or Jeff Zabler (FTS) 343-7722.


Associate Director

1 Enclosure:

Encl. 1 - Instruction Memorandum No. 83-237 (2 pp)



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

3101 (530)

March 7, 1983

Instruction Memorandum No. 83-237, Change 2
Expires 9/30/84

To: All State Directors and Minerals Managers

From: Director

Subject: Prohibition Against Leasing in Bureau of Land Management (BLM)
Wilderness Study Areas (WSA) under Section 603 FLPMA

This additional guidance clarifies the procedures regarding the prohibition of mineral leasing and permitting in BLM administered WSA's, established by the Secretary's policy declared on December 30, 1982. This guidance is in addition to that provided in Instruction Memorandum (IM) 83-237, dated January 7, 1983; IM 83-237, Change 1, dated January 19, 1983; and Information Memorandum No. 83-113, dated February 9, 1983.

The Department has revisited the intent and meaning of the prohibition on all mineral leasing in the four categories of land identified in the Department of the Interior Appropriations Act of FY 1983 (P.L. 97-394), as well as in BLM WSA's covered by Secretarial policy.

Accordingly, the following new guidance pertains to leasing and permitting in BLM WSA's. The exemption providing for the leasing of lands immediately adjacent to producing oil and gas fields or areas that are prospectively valuable continues for the BLM WSA's. However, if an application is located in a Congressionally designated wilderness area, is immediately adjacent to producing oil and gas fields or areas that are prospectively valuable, and the immediately adjacent area happens to be within a BLM administered WSA or within lands dropped from the WSA category by virtue of the Federal Register notice of December 30, 1982 (following the State Director's decision on further study), the lease application in the wilderness area can be processed with the required no surface occupancy stipulation with entry allowed only if the lands are accessible by directional drilling or other nonsurface disturbing methods from outside both the designated wilderness and the WSA. Otherwise, the application should be suspended. These restrictions may limit whether the application can be processed to issuance, and will have to be reviewed on a case-by-case basis.

Applications adjacent to BLM WSA areas that are located in 1) Congressionally designated wilderness study areas, 2) Forest Service (FS) RARE II areas recommended for wilderness; and 3) FS RARE II areas allocated to further planning cannot be processed and must be suspended.

Lastly, with respect to lease applications that are partially within a BLM administered WSA and not adjacent to producing or prospectively valuable lands, you may segregate that acreage within the WSA and process the remaining acreage in the application toward lease issuance (so long as such acreage outside the WSA also is not within any of the four categories of lands identified in the FY 83 Interior Appropriations Act).

For further information contact Jeff Zabler (FTS 343-7722) or Lois Mason (FTS 343-7753), Division of Oil, Gas and Geothermal.

Robert J. Burford



United States Department of the Interior

3101 (622)

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

June 24, 1983

Instruction Memorandum No. 83-237, Change 3
Expires: 9/30/84

To: All State Directors

From: Director

Subject: Prohibition Against Leasing in Wilderness Study Areas.

Instruction Memorandum (IM) No. 83-237, Change 2, states that the Bureau may continue to lease portions of Wilderness Study Areas (WSA's) that are "immediately adjacent to producing oil and gas fields or areas that are prospectively valuable." Before a lease may be issued, a determination must be made as to whether the lands immediately adjacent to the WSA are, in fact, producing oil and gas fields or are prospectively valuable. Only after this determination is made should processing the lease application be continued. For purposes of making this determination, the following criteria are to be used:

1. "Producing oil and gas fields" means the area included in a known geological structure (KGS).
2. "Prospectively valuable" requires judgement of several factors. We refer you in making such determinations to the HANDBOOK OF INSTRUCTIONS; Procedures for the Classification of Public Lands (USGS;1960), pages 192 and 193 (copy previously enclosed with Instruction Memorandum No. 83-120, Change 4).

The above guidance is made to achieve consistency with IM No. 83-120, changes 3 and 4. Please note that while IM No. 120 and its changes have addressed primarily Forest Service administered lands, IM No. 83-237 and its changes have dealt with lands administered by BLM. In this instance, procedures are very similar, but have been restated for clarity and consistency.